

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

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GRACE ENGINEERING CORP.,

Case No.

Plaintiff,

Hon.

v.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

DEAD RINGER, LLC,

Defendant.

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**DEMAND FOR JURY TRIAL**

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James Moskal (P41885)  
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Plaintiff complains against defendant as follows:

1. This is an action for patent infringement under Title 35 of the United States Code. The Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). Venue is proper under 28 U.S.C. §§ 1391 and 1400.
2. Plaintiff Grace Engineering Corp. is a Michigan corporation. Plaintiff's headquarters and principal place of business are at 34775 Potter Street, Memphis, Michigan.
3. Defendant Dead Ringer, LLC is a New York limited liability company.
4. United States Patent No. 6,290,903, entitled "Broadhead and Method of Manufacture," was duly issued on September 18, 2001.
5. Plaintiff, by assignment, is the sole and exclusive owner of all rights, title and interest to the patent.
6. A copy of the patent is attached as Exhibit A, and the disclosure of the patented invention is incorporated herein.
7. Defendant is offering for sale in the United States and this judicial district a broadhead named the "Javelin" broadhead. A copy of defendant's 2017 product catalogue for the Javelin broadhead is attached as Exhibit B.
8. The Javelin broadhead is manufactured utilizing a method that infringes at least claim 4 of the patent. Specifically, the Javelin is a monolithic

broadhead which is manufactured by (a) forming a greenware broadhead from a powdered composition, (b) sintering the greenware broadhead at an elevated temperature to form a sintered monolithic broadhead, and (c) honing a cutting edge on an outer edge of the sintered monolithic broadhead.

9. At the Archery Trade Association trade show in Indianapolis, Indiana, in January 2017, defendant's representative admitted to plaintiff's representative that the Javelin broadhead is manufactured utilizing the method of claim 4 of the patent. Further, the defendant displayed the Javelin broadhead at the trade show, where plaintiff and plaintiff's representative visually inspected it. The broadhead includes a cutting edge on the outer edges of blades of the broadhead, and the visible markings establish that the cutting edge was honed.

10. If defendant manufactures the Javelin broadhead in the United States, then there is direct infringement of at least claim 4 under 35 U.S.C. § 271(a). If defendant (or another person) manufactures the Javelin broadhead outside the United States, then there is infringement of at least claim 4 under 35 U.S.C. § 271(g).

11. Plaintiff and defendant are competitors in the broadhead market. Defendant will continue to infringe the patent and cause plaintiff irreparable harm unless enjoined by the Court.

**WHEREFORE**, plaintiff requests that the Court enter judgment against defendant as follows:

- (a) Preliminarily and permanently enjoining defendant from infringing the patent;
- (b) Awarding plaintiff damages and enhanced damages under 35 U.S.C. § 284;
- (c) Awarding plaintiff interest, costs and attorney fees under 35 U.S.C. § 285; and
- (d) Awarding plaintiff all additional relief to which it is entitled.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury.

Dated: January 26, 2017

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